

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  INTERSTATE POWER AND LIGHT COMPANY AND MAQUOKETA VALLEY REC	DOCKET NO. SPU-04-29
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**ORDER GRANTING PETITION FOR MODIFICATION  
OF SERVICE AREA BOUNDARIES**

(Issued November 24, 2004)

On October 20, 2004, Interstate Power and Light Company (IPL) and Maquoketa Valley REC (Maquoketa) filed a joint petition for modification of electric service area boundaries pursuant to Iowa Code § 476.25(2). A service area agreement between IPL and Maquoketa is attached to the petition. No objections to the petition were filed.

IPL and Maquoketa have agreed that certain territory in Maquoketa's exclusive service territory will be transferred to IPL and request the Board modify the service territory boundary between the two utilities in Dubuque County, Iowa. The following service territory is to be served by IPL:

IPL will serve an area approximately 2.4 acres in size and located at 18571 Hochrein Road, Sherrill, Iowa. The legal description identifies the property to be in the South Half (S ½) of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 31, T-90N, R-2E, Dubuque County, Iowa.

In support of the petition, IPL and Maquoketa state the modification will allow both utilities to more efficiently serve their customers while avoiding unnecessary duplication of facilities. The proposed modification will allow IPL to serve a commercial building being developed. The building's owner requested the modification because IPL's electric lines are in closer proximity to the property than Maquoketa's lines. No other customers reside in the area to be transferred.

Iowa Code § 476.25 (2003) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the joint petition for modification of service area boundaries. IPL and Maquoketa have alleged facts that establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

**IT IS THEREFORE ORDERED:**

The joint petition for modification of electric service area boundaries filed by Interstate Power and Light Company and Maquoketa Valley REC on October 20, 2004, is granted, subject to complaint or investigation.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 24<sup>th</sup> day of November, 2004.